

ASSEMBLY BILL

No. 33

Introduced by Assembly Member Samuelian

December 2, 2002

An act to add Article 8.5 (commencing with Section 228.50) to Chapter 1 of Division 1 of the Streets and Highways Code, relating to streets and highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 33, as introduced, Samuelian. Streets and highways: San Joaquin Valley demonstration program: acceleration highway projects.

Under existing law, the construction of state highway projects is carried out by the Department of Transportation.

This bill would enact provisions establishing a demonstration program for the accelerated processing of those state highway projects located in the San Joaquin Valley Counties of San Joaquin, Madera, Merced, Fresno, and Kern that meet specified criteria. Under that process, the Director of Transportation would be required to adopt regulations necessary to implement the provisions regarding the demonstration program.

The bill would establish, until January 1, 2013, a coordinated environmental review process for eligible San Joaquin Valley highway projects. The bill would require the projects to be identified by the department, in accordance with specified criteria, and would provide for the department to be designated as the consolidated permit agency. The bill would require the department to seek and invite participation by federal agencies in preparing environmental documents and in permitting of projects. The bill would provide for the department to provide staff support for the demonstration projects to the extent funds

are identified for this purpose. The bill would provide that each regional transportation planning authority may monitor and account for any cost savings that may result from the coordinated environmental review and permit process and would require that the funds not used for a specific project be reprogrammed for other projects in that particular county. The bill would enact other related provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 8.5 (commencing with Section 228.50)
2 is added to Chapter 1 of Division 1 of the Streets and Highways
3 Code, to read:

4
5 Article 8.5. San Joaquin Valley Accelerated Highway
6 Construction Projects
7

8 228.50. The department shall implement a demonstration
9 project which classifies all highway projects in the counties within
10 the San Joaquin Valley as accelerated highway construction
11 projects.

12 228.51. For purposes of this article, “San Joaquin Valley”
13 means the Counties of San Joaquin, Madera, Merced, Fresno,
14 Kern, and Tulare.

15 228.60. For purposes of this article, “acceleration project”
16 means a project located in the San Joaquin Valley which meets all
17 of the following criteria:

18 (a) The project is a state highway project included in the state
19 transportation improvement program pursuant to Section 14529 of
20 the Government Code.

21 (b) A notice of determination has been filed for the project
22 pursuant to Section 21108 or 21152 of the Public Resources Code.

23 (c) The project is located within an existing right-of-way.

24 (d) The project will not increase existing highway capacity.

25 (e) The project will have no impact on the environment, and no
26 significant impact on issues under the jurisdiction of each affected
27 local, regional, state, and federal agency as determined and
28 certified by each affected agency.

29 (f) The project is for one of the following purposes:



1 (1) Strengthening and rehabilitation of bridge and railroad
2 grade separation structures.

3 (2) High-occupancy vehicle, vehicle passing, two-way turn, or
4 auxiliary lanes.

5 (3) Interchange modification.

6 (4) Traffic channelization and signalization or installation of
7 traffic operation systems.

8 (5) Pavement reconstruction or resurfacing.

9 (6) Safety installation and upgrading of guardrail and median
10 barriers.

11 228.61. The department shall adopt regulations necessary to
12 carry out the provision of the demonstration program.

13 228.70. (a) The department shall identify San Joaquin Valley
14 highway projects for the coordinated environmental review and
15 permit process authorized by this section. Candidates identified
16 for selection shall meet all of the following criteria:

17 (1) The project will increase capacity on highway corridors.

18 (2) The project will improve highway operations and reliability
19 of service by increasing the capacity of the highways.

20 (3) The project will result in an overall benefit to the
21 environment by improving highway service.

22 (4) The project requires environmental review and
23 consultation in order to address potential environmental impacts.

24 (5) The project is programmed in the State Transportation
25 Improvement Program.

26 (6) The project sponsor consents to the selection and to contract
27 with the department for preparation of the environmental
28 document, as required pursuant to Division 13 (commencing with
29 Section 21000) of the Public Resources Code, for the project.

30 (b) The department may be designated as the consolidated
31 permit agency pursuant to Part 1 (commencing with Section
32 71000) of Division 34 of the Public Resources Code.

33 (c) The department shall seek and invite participation by
34 applicable federal agencies when preparing the environmental
35 document and during the permit process.

36 (d) To the extent that funds are identified for this purpose, staff
37 support for the demonstration projects shall be made available by
38 the department.

39 (e) The department shall report to the Legislature upon the
40 conclusion of the demonstration projects. The report shall include

1 an assessment of the timeliness and the project delivery
2 performance of the projects that were authorized under this
3 section.

4 (f) This section shall remain in effect only until January 1,
5 2013, and as of that date is repealed.

6 228.80. Each regional transportation planning authority may
7 monitor and account for any cost savings that result from the
8 coordinated environmental review and permit process established
9 pursuant to Section 228.70.

10 228.90. If a project is completed for less than the amount
11 estimated by the department, the funds that were not used shall be
12 reprogrammed for projects in that particular county.

